

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, October 16, 1935.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills to whom was referred

H. B. No. 27, A bill to be entitled
"An Act making an appropriation
of the sum of One Hundred Thous-
and (\$100,000.00) Dollars, or so much
thereof as may be necessary, out
of any funds in the State Treas-
ury, not otherwise appropriated, to
pay the contingent expenses, and to
pay the per diem of members and the
per diem of officers and employes of
the Second Called Session of the
Forty-fourth Legislature, and declar-
ing an emergency."

Has carefully compared same and
finds it correctly engrossed.

HODGES, Chairman.

FIRST DAY

(Continued)

(Thursday, October 17, 1935)

The House met at 9:00 o'clock a. m.,
and was called to order by Speaker
Stevenson.

RECESS

On motion of Mr. Pope, the House
at 9:15 o'clock a. m., took recess to
9:30 o'clock a. m., tomorrow.

REASONS FOR VOTE

Since no record vote is taken, we
wish to say that we oppose the motion
of Mr. Pope to recess until tomorrow.

HUDDLESTON,
GLASS.

FIRST DAY

(Continued)

(Friday, October 18, 1935)

The House met at 9:30 o'clock a. m.,
and was called to order by Hon. Albert
G. Walker, of Wilbarger County.

COMMUNICATION FROM HON. COKE R. STEVENSON

The following communication was
ordered printed in the Journal:

October 18, 1935.

Mrs. Louise Snow Phinney, Chief Clerk
House of Representatives
Austin, Texas

Dear Madam:

By the authority vested in me under
Rule I, Section 11, of the Rules of the
House of Representatives, Honorable
Albert Walker is hereby appointed to
preside during my absence today.

COKE R. STEVENSON,

Speaker of the House of
Representatives.

CONCERNING MEETINGS OF THE COMMITTEE ON REVENUE AND TAXATION

Hon. Walter E. Jones, chairman of
the Committee on Revenue and Tax-
ation, having been recognized by the
Chair, made the following announce-
ment in regard to hearings of the
Committee on Revenue and Taxation,
and announced the appointment of a
subcommittee to consider the bills as
follows:

The following bills in the Commit-
tee on Revenue and Taxation have been
referred to subcommittee as listed
and report on same will be heard on
Monday, October 21, at 2 o'clock p. m.

Subcommittee: Knetsch, (Chair-
man) Nicholson, Reed of Bowie,
Thornton and James.

H. B. No. 9 (Old Age Assistance,
and gross proceeds tax) By Mr.
Petsch and Mr. Jones of Atascosa.

H. B. No. 11 (Old Age Assistance,
creating Commission, etc.) By Mr.
Hunt and Mr. Alsup.

H. B. No. 12 (Old Age Assistance,
gross proceeds tax) By Mr. Jones of
Atascosa, et al.

H. B. No. 18 (Old Age Assistance,
Omnibus Tax Bill) By Mr. Keefe.

H. B. No. 23 (Old Age Assistance,
creation of Commission, etc.) By Mr.
Hofheinz and Mr. Calvert.

H. B. No. 17 (Luxury Tax, allocating
proceeds to Old Age Fund, etc.) By
Mr. Dwyer.

H. B. No. 35 (Old Age Pension Bill)
By Mr. Reed of Bowie.

WALTER E. JONES,
Chairman.

ADJOURNMENT

Mr. Glass moved that the House recess to 9:30 o'clock a. m., tomorrow.

Mr. Lemens moved that the House adjourn until 9:30 o'clock a. m., Monday, October 21.

Question first recurring on the motion by Mr. Lemens, it prevailed and the House, accordingly, at 10:15 o'clock a. m., adjourned until 9:30 o'clock a. m., Monday, October 21.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills as follows:

Education: House Bill No. 15.

State Affairs: House Bill No. 26.

SECOND DAY

(Monday, October 21, 1935.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker	Craddock
Adamson	Crossley
Adkins	Daniel
Aikin	Davison of Fisher
Alexander	Davisson
Alsup	of Eastland
Ash	Dickison
Atchison	Dunagan
Beck	Dunlap of Hays
Bergman	Dunlap of Kleberg
Bourne	Duvall
Bradbury	Dwyer
Bradford	England
Broyles	Fain
Burton	Farmer
Butler of Brazos	Fisher
Butler of Karnes	Ford
Cagle	Fox
Caldwell	Frazer
Calvert	Fuchs
Canon	Gibson
Celaya	Glass
Clayton	Good
Collins	Graves
Colquitt	Gray
Colson	Hankamer
Cooper	Hanna
Cowley	Hardin

Harris of Archer	Olsen
Harris of Dallas	Padgett
Hartzog	Palmer
Herzik	Patterson
Hodges	Payne
Hofheinz	Petsch
Holland	Pope
Hoskins	Quinn
Howard	Reader
Hunt	Reed of Bowie
Hunter	Reed of Dallas
Hyder	Riddle
Jackson	Roach of Angelina
James	Roach of Hunt
Jefferson	Roane
Jones of Atascosa	Roark
Jones of Falls	Roberts
Jones of Shelby	Russell
Jones of Wise	Rutta
Keefe	Scarborough
King	Sessions
Knetsch	Settle
Lange	Shofner
Lanning	Spears
Latham	Stanfield
Lemens	Steward
Leonard	Stinson
Lindsey	Stovall
Lotief	Tarwater
Lucas	Tennyson
Luker	Thornton
Mauritz	Tillery
McCalla	Venable
McConnell	Waggoner
McFarland	Walker
McKee	Wells
McKinney	Westfall
Moffett	Wood of Harrison
Morris	Wood of Montague
Morrison	Worley
Morse	Young
Newton	Youngblood
Nicholson	

Absent—Excused

Davis	Huddleston
Fitzwater	Leath
Greathouse	Moore
Head	Rogers
Hill	Smith

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered the following invocation:

"Lord, as we realize the magnitude of our tasks we feel that we need better qualifications to undertake them. Thou hast said, 'If any man lack wisdom, let him ask of God, who giveth to all men liberally and upbraideth not.' Endue us with that wisdom in all our ways. For Christ's sake. Amen."

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence on account of important business:

Mr. Head for today, on motion of Mr. Wells.

Mr. Leath for today, on motion of Mr. Lucas.

Mr. Greathouse for today, on motion of Speaker Stevenson.

Mr. Davis for today, on motion of Mr. Bradbury.

Mr. Smith for today, on motion of Mr. Rutta.

Mrs. Moore for today and the balance of the week, on motion of Mr. Thornton.

The following members were granted leaves of absence on account of illness:

Mr. Fitzwater for today and the balance of the week, on motion of Mr. Stovall.

Mr. Huddleston for today, on motion of Mr. Hardin.

Mr. Rogers for today, on account of illness in his family, on motion of Mr. McFarland.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Farmer, Mr. Glass and Mr. Lucas:

H. B. No. 37, A bill to be entitled "An Act amending Article 7046 of the Revised Civil Statutes of the State of Texas for 1925, providing that a poll tax of One (\$1.00) Dollar for free schools, and fifty cents (\$.50) for the old age assistance fund shall be levied and collected on every person between the ages of 21 and 60 years, making certain exceptions; etc., and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Pope:

H. B. No. 38, A bill to be entitled "An Act to license a certain type of game, which is sometimes called 'Keeno,' 'Skill Ball' or 'Bingo,' to regulate the operation thereof, to designate the penalties for the viola-

tion of the provisions of this Act, etc., and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Duvall:

H. B. No. 39, A bill to be entitled "An Act to appropriate money to pay all rentals due and unpaid by the State of Texas under contracts made by the Adjutant General with the owners of buildings, for the purpose of housing various kinds of military and army property belonging to the State and used by the National Guard and to validate said accounts and the contracts under which the same accrued, and declaring an emergency."

Referred to the Committee on Claims and Accounts.

By Mr. Duvall and Mr. Smith:

H. B. No. 40, A bill to be entitled "An Act to raise revenue by licensing of public eating places; providing for the collection of said tax; providing for the administration of this Act; providing certain sanitary regulations; etc., and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Spears:

H. B. No. 41, A bill to be entitled "An Act amending Title 5, Revised Civil Statutes of Texas relating to aliens and their rights, limitations and exceptions in respect to the ownership, possession, control and management of lands in Texas; amending Article 167, Revised Civil Statutes of 1925, as relates to the ownership of lots and parcels of land within incorporated cities and towns and to exceptions of certain aliens mentioned in said Title 5 and the several Articles of the Statutes thereunder; etc., and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Hunter:

H. B. No. 42, A bill to be entitled "An Act levying an occupation tax upon local mutual aid associations; providing certain exemptions; prescribing the rate of tax and methods of its measurement; providing for the manner of collection, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. McConnell:

H. B. No. 43, A bill to be entitled "An Act to raise revenue for the purpose of helping to compensate the old age pension and to regulate the manufacture, sale, transportation, barter and exchange of intoxicating liquors with reference thereto, and providing for the collection of revenue received therefrom for the purpose of helping to defray the expenses incurred in the payment of old age pensions and providing the penalties for violation of the provisions of this Act, and declaring an emergency."

Referred to the Committee on Liquor Traffic.

By Mr. Riddle:

H. B. No. 44, A bill to be entitled "An Act amending House Bill No. 581 as passed by the Regular Session of the Forty-fourth Legislature of Texas by amending Section 10, Subsection C, and providing for two-thirds of market value tax per barrel on confiscated oil, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Farmer:

H. B. No. 45, A bill to be entitled "An Act to provide for the protection, welfare, and relief of aged persons in need and resident in the State of Texas; providing the method therefor; making an appropriation therefor; and prescribing penalties for the violation of the provisions of this Act, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Frazer and Mr. James:

H. B. No. 46, A bill to be entitled "An Act levying and imposing occupation taxes, in addition to those now prescribed by law on certain industries and public utilities; and natural resources, such as gas, sulphur and oil; providing for certain exemptions and defining terms used in the Act; taxes on soft drinks; etc., and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

Mr. Alsup raised a point of order of further consideration of House Bills Nos. 38 and 41, on the ground that the subject matter contained in

the bills, has not been submitted by the Governor.

The Speaker sustained the point of order.

Mr. Spears raised a point of order on further consideration of House Bill No. 40, by Mr. Duvall, on the ground that the subject matter contained in the bill, has not been submitted by the Governor.

The Speaker sustained the point of order.

Mr. Alsup raised a point of order on further consideration of House Bills Nos. 39 and 43, on the ground that the subject matter contained in the bills, has not been submitted by the Governor.

The Speaker sustained the point of order.

RELATIVE TO RESOLUTION PERIOD

On motion of Mr. Aikin, the House dispensed with the consideration of resolutions at this time.

HOUSE BILL NO. 15 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 15, A bill to be entitled "An Act to amend Article 2785 so as to provide that notices of election shall be posted for ten days, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 15 ON THIRD READING

Mr. Knetsch moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 15 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Adamson	Bradbury
Adkins	Bradford
Aikin	Broyles
Alexander	Burton
Alsup	Butler of Brazos
Ash	Butler of Karnes
Atchison	Cagle
Bergman	Caldwell
Bourne	Calvert

Canon	Lindsey
Clayton	Lotief
Collins	Lucas
Colquitt	Luker
Colson	Mauritz
Cooper	McCalla
Cowley	McConnell
Craddock	McFarland
Crossley	McKee
Davisson	McKinney
of Eastland	Moffett
Dickison	Morris
Dunagan	Morrison
Dunlap of Hays	Morse
Duvall	Newton
Fain	Nicholson
Farmer	Olsen
Fisher	Padgett
Ford	Palmer
Fox	Patterson
Frazer	Payne
Fuchs	Pope
Gibson	Reader
Glass	Reed of Bowie
Good	Reed of Dallas
Graves	Riddle
Gray	Roach of Hunt
Hankamer	Roane
Hanna	Roark
Hardin	Russell
Harris of Dallas	Rutta
Hartzog	Sessions
Herzik	Settle
Hodges	Shofner
Hofheinz	Stinson
Holland	Tarwater
Hoskins	Tennyson
Hunt	Thornton
Hunter	Tillery
Hyder	Venable
Jackson	Waggoner
James	Walker
Jefferson	Wells
Jones of Atascosa	Westfall
Jones of Falls	Wood of Harrison
Jones of Wise	Wood of Montague
Keefe	Worley
Knetsch	Young
Lange	Youngblood
Lanning	

Absent

Beck	Latham
Celaya	Lemens
Daniel	Leonard
Davison of Fisher	Petsch
Dunlap of Kleberg	Quinn
Dwyer	Roach of Angelina
England	Roberts
Harris of Archer	Scarborough
Howard	Spears
Jones of Shelby	Steward
King	Stovall

Absent—Excused

Davis	Leath
Fitzwater	Moore
Greathouse	Rogers
Head	Smith
Hill	Stanfield
Huddleston	

The Speaker then laid House Bill No. 15 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—112

Adamson	Hartzog
Adkins	Herzik
Aikin	Hodges
Alexander	Hofheinz
Alsup	Holland
Ash	Hoskins
Atchison	Hunt
Bergman	Hunter
Bourne	Hyder
Bradbury	Jackson
Bradford	James
Broyles	Jefferson
Burton	Jones of Atascosa
Butler of Karnes	Jones of Falls
Cagle	Jones of Wise
Caldwell	Keefe
Calvert	Knetsch
Canon	Lange
Celaya	Lanning
Clayton	Latham
Collins	Lindsey
Colquitt	Lotief
Cooper	Lucas
Cowley	Luker
Craddock	Mauritz
Crossley	McCalla
Davisson	McConnell
of Eastland	McFarland
Dickison	McKee
Dunagan	McKinney
Dunlap of Hays	Moffett
Fain	Morris
Farmer	Morrison
Fisher	Morse
Ford	Newton
Fox	Nicholson
Frazer	Olsen
Fuchs	Padgett
Gibson	Palmer
Glass	Patterson
Good	Pope
Graves	Reader
Gray	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Riddle
Hardin	Roach of Hunt
Harris of Dallas	Roane

Roark	Waggoner
Rutta	Walker
Sessions	Wells
Settle	Westfall
Stinson	Wood of Harrison
Tarwater	Wood of Montague
Tennyson	Worley
Thornton	Young
Tillery	Youngblood
Venable	

Nays—2

Russell	Shofner
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Absent

Beck	King
Butler of Brazos	Lemens
Colson	Leonard
Daniel	Payne
Davison of Fisher	Petsch
Dunlap of Kleberg	Quinn
Duvall	Roach of Angelina
Dwyer	Roberts
England	Scarborough
Harris of Archer	Spears
Howard	Steward
Jones of Shelby	Stovall

Absent—Excused

Davis	Leath
Fitzwater	Moore
Greathouse	Rogers
Head	Smith
Hill	Stanfield
Huddleston	

PROPOSED AMENDMENT TO
JOINT RULES

The Speaker laid before the House, as unfinished business, House Concurrent Resolution No. 1, by Mr. Fain, Proposing an amendment to Joint Rule No. 20.

The resolution having been read second time on last Wednesday, with amendment by Mr. Walker to the resolution, pending.

Mr. Aikin moved that further consideration of House Concurrent Resolution No. 1, be postponed until 10:00 o'clock a. m., next Thursday.

Mr. Fain moved to table the motion by Mr. Aikin.

The motion to table was lost.

Question then recurring on the motion by Mr. Aikin to postpone further consideration of House Concurrent Resolution No. 1, until 10:00 o'clock a. m., next Thursday, it prevailed.

HOUSE BILL NO. 26 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 26, A bill to be entitled "An Act creating a System of Old Age Assistance in Texas; placing restrictions on the granting of such assistance; creating the Texas Old Age Assistance Commission; etc., and declaring an emergency."

The bill was read second time.

(Mr. Moffett in the Chair.)

Question—Shall House Bill No. 26 pass to engrossment?

EXTENDING SYMPATHY OF THE
HOUSE TO MRS. B. L.
ROGERS

Mr. Worley offered the following resolution:

Whereas, Mrs. B. L. Rogers, wife of our fellow member, the Honorable B. L. Rogers, has received serious injuries in a recent automobile accident; and

Whereas, It is the sincere prayer of the Members of the House of Representatives and the many friends of Mrs. Rogers that she quickly recover; and

Whereas, Mrs. Rogers is now confined in Seton Infirmary; now, therefore, be it

Resolved by the House of Representatives, That best wishes for her speedy recovery be extended by the Membership of the House, and that the Chief Clerk of the House be directed to send suitable floral offerings to Mrs. Rogers, and that a copy of this resolution be forwarded to Mr. and Mrs. Rogers.

WORLEY,
McFARLAND,
MOFFETT.

The resolution was read second time.

Signed—Stevenson, Speaker; Adamson, Adkins, Aikin, Alexander, Alsup, Ash, Atchison, Beck, Bergman, Bourne, Bradbury, Bradford, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Celaya, Clayton, Collins, Colquitt, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Kleberg, Dunlap of Hays, Duvall, Dwyer, England, Fain,

Farmer, Fisher, Fitzwater, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Graves, Gray, Greathouse, Hankamer, Hanna, Hardin, Harris of Archer, Harris of Dallas, Hartzog, Head, Herzik, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Jones of Wise, Jones of Shelby, Jones of Falls, Jones of Atascosa, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Lemens, Leonard, Lindsey, Lotief, Lucas, Luker, Mauritz, McCalla, McConnell, McKee, McKinney, Moore, Morris, Morrison, Morse, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Payne, Petsch, Pope, Quinn, Reader, Reed of Bowie, Reed of Dallas, Riddle, Roach of Hunt, Roach of Angelina, Roane, Roark, Roberts, Russell, Rutta, Scarborough, Sessions, Settle, Shofner, Smith, Spears, Stanfield, Steward, Stinson, Stovall, Tarwater, Tennyson, Thornton, Tillery, Venable, Waggoner, Walker, Wells, Westfall, Wood of Montague, Wood of Harrison, Young, and Youngblood.

On the motion of Mr. Davisson of Eastland, the names of all the members of the House were added to the resolution, as signers thereof.

The resolution was unanimously adopted.

RECESS

On motion of Mr. Frazer, the House at 12:00 o'clock m., took recess to 2:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

Mr. Harris of Dallas moved that the House stand at ease until 3:00 o'clock p. m., today, in order that the Committee on Revenue and Taxation, which is in session at this time, might further consider bills before the committee.

Question recurring on the motion by Mr. Harris of Dallas, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows:

Yeas—27

Ash	Calvert
Atchison	Canon

Celaya
Cooper
Craddock
Crossley
Dickison
Farmer
Graves
Hanna
Harris of Dallas
Hartzog
Hodges
Howard

Hyder
Jones of Falls
Leonard
Lindsey
Morris
Olsen
Roach of Angelina
Roane
Roberts
Russell
Scarborough

Nays—49

Adamson
Aikin
Bourne
Bradford
Broyles
Burton
Cagle
Cowley
Davison of Fisher
Davisson
of Eastland
England
Fain
Fox
Glass
Hardin
Harris of Archer
Herzik
Hofheinz
Jones of Shelby
Jones of Wise
Lanning
Latham
Lemens
Lucas

McConnell
McFarland
Moffett
Morrison
Palmer
Patterson
Payne
Quinn
Roark
Rutta
Sessions
Settle
Shofner
Stovall
Tennyson
Tillery
Venable
Waggoner
Walker
Wells
Westfall
Wood of Harrison
Wood of Montague
Worley
Youngblood

Absent

Adkins
Alexander
Alsup
Beck
Bergman
Bradbury
Butler of Brazos
Butler of Karnes
Caldwell
Clayton
Collins
Colquitt
Colson
Daniel
Dunagan
Dunlap of Hays
Dunlap of Kleberg
Duvall
Dwyer
Fisher
Ford
Frazer
Fuchs

Gibson
Good
Gray
Hankamer
Holland
Hoskins
Hunt
Hunter
Jackson
James
Jefferson
Jones of Atascosa
Keefe
King
Knetsch
Lange
Lotief
Luker
Mauritz
McCalla
McKee
McKinney
Morse

Nicholson	Roach of Hunt
Padgett	Spears
Petsch	Steward
Pope	Stinson
Reader	Tarwater
Reed of Bowie	Thornton
Reed of Dallas	Young
Riddle	

Absent—Excused

Davis	Leath
Fitzwater	Moore
Greathouse	Newton
Head	Rogers
Hill	Smith
Huddleston	Stanfield

The Speaker announced that there was not a quorum present.

Mr. Broyles moved a call of the House for the purpose of securing and maintaining a quorum until 4:00 o'clock p. m., today, and the call was duly ordered.

On motion of Mr. Venable, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

The roll of the House was again called, and the following Members were present:

Mr. Speaker	Dunlap of Kleberg
Adamson	Duvall
Adkins	Dwyer
Aikin	England
Alexander	Fain
Alsup	Farmer
Atchison	Fisher
Bergman	Fox
Bourne	Frazer
Bradbury	Fuchs
Bradford	Gibson
Broyles	Glass
Burton	Good
Butler of Brazos	Gray
Cagle	Hanna
Caldwell	Hardin
Calvert	Harris of Archer
Canon	Harris of Dallas
Celaya	Hartzog
Collins	Herzik
Colquitt	Hill
Colson	Hodges
Cooper	Hofheinz
Cowley	Holland
Craddock	Howard
Davison of Fisher	Hunter
Davisson	Hyder
of Eastland	Jackson
Dickison	James
Dunagan	Jefferson
Dunlap of Hays	Jones of Falls

Jones of Shelby	Reed of Bowie
Jones of Wise	Reed of Dallas
Keefe	Riddle
Knetsch	Roach of Hunt
Lange	Roane
Lanning	Roark
Latham	Russell
Lemens	Rutta
Leonard	Scarborough
Lindsey	Sessions
Lotief	Settle
Lucas	Shofner
Luker	Spears
McCalla	Stinson
McConnell	Stovall
McFarland	Tarwater
McKee	Tennyson
Moffett	Thornton
Morris	Tillery
Morrison	Venable
Nicholson	Waggoner
Olsen	Walker
Padgett	Wells
Palmer	Westfall
Patterson	Wood of Harrison
Payne	Wood of Montague
Petsch	Worley
Pope	Young
Quinn	Youngblood
Reader	

Absent

Ash	Hunt
Beck	Jones of Atascosa
Butler of Karnes	King
Clayton	Mauritz
Crossley	McKinney
Daniel	Morse
Ford	Roach of Angelina
Graves	Roberts
Hankamer	Steward
Hoskins	

Absent—Excused

Davis	Moore
Fitzwater	Newton
Greathouse	Rogers
Head	Smith
Huddleston	Stanfield
Leath	

A quorum was announced present.

LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. Newton was granted leave of absence for this afternoon, on account of illness, on motion of Mr. Hunter.

Mr. Hill was granted leave of absence for this morning, on account of illness, on motion of Mr. Dickison.

REASONS FOR VOTE

We opposed the motion made Friday to adjourn until Monday. No record was made of opposing votes on motions made Thursday, October 17, 1935, or Friday, October 18, 1935. We were present at each session.

TENNYSON,
BROYLES,
SHOFNER,
AIKIN,
McFARLAND,
HARRIS of Archer,
FAIN.

Since no record vote was taken on Thursday and Friday of last week the undersigned record their names as being present on both days:

JONES of Wise,
ROARK,
CALVERT,
THORNTON,
LEMENS,
KEEFE,
JONES of Atascosa
DAVISON of Fisher,
DANIEL.

HOUSE BILL NO. 26 ON PASSAGE
TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 26, relative to creating a System of Old Age Assistance in Texas.

The bill having been read second time on this morning.

Mr. Russell offered an amendment to the bill, which amendment was ordered not printed in the Journal.

Mr. Calvert moved to table the amendment by Mr. Russell.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—89

Adamson	Calvert
Adkins	Clayton
Aikin	Collins
Ash	Colquitt
Beck	Colson
Bourne	Cooper
Bradbury	Cowley
Bradford	Crossley
Broyles	Davison of Fisher
Burton	Davisson
Butler of Brazos	of Eastland
Cagle	Dickison
Caldwell	Duvall

Dwyer	McFarland
England	McKee
Fain	McKinney
Farmer	Moffett
Fisher	Morris
Ford	Morrison
Fox	Nicholson
Gibson	Padgett
Good	Palmer
Gray	Patterson
Hanna	Payne
Harris of Archer	Reader
Harris of Dallas	Reed of Bowie
Hartzog	Reed of Dallas
Hill	Riddle
Hofheinz	Roach of Hunt
Holland	Roane
Hunt	Roark
Hunter	Rutta
Jackson	Sessions
Jefferson	Settle
Jones of Atascosa	Shofner
Jones of Falls	Stinson
Jones of Wise	Tarwater
Keefe	Tennyson
Lange	Thornton
Lanning	Venable
Latham	Waggoner
Leonard	Walker
Lindsey	Wells
McCalla	Westfall
McConnell	Youngblood

Nays—41

Alexander	King
Alsup	Knetsch
Atchison	Lemens
Bergman	Lotief
Butler of Karnes	Lucas
Canon	Luker
Celaya	Mauritz
Craddock	Olsen
Daniel	Petsch
Dunagan	Quinn
Dunlap of Hays	Roach of Angelina
Frazer	Roberts
Glass	Russell
Hardin	Scarborough
Herzik	Steward
Hodges	Stovall
Hoskins	Tillery
Howard	Wood of Harrison
Hyder	Wood of Montague
James	Worley
Jones of Shelby	

Absent

Dunlap of Kleberg	Morse
Fuchs	Pope
Graves	Spears
Hankamer	Young

Absent—Excused

Davis	Moore
Fitzwater	Newton
Greathouse	Rogers
Head	Smith
Huddleston	Stanfield
Leath	

REASONS FOR VOTE

I voted against the Russell substitute and also the Glass substitute to the Morrison Pension bill, which contains no restrictions as to property or income of the applicant; appropriates Seventy Million (\$70,000,000) Dollars for the payment of pensions and contains absolutely no provisions for the raising of the needed revenues, because I believe the enactment of such a bill, at this time, unless at least a 4% general sales tax is adopted simultaneously therewith, would be mere form without substance and would absolutely defeat the payment of pensions to the really needy and deserving aged people. I believe that the adoption of a general sales tax at this time even for the payment of pensions, would be unwise and I do not believe that the staggering millions these substitutes, without restrictions, would require, can be raised from any other source.

I want to see the deserving needy aged people of Texas be paid a pension immediately and I believe it is better at this time to enact a pension system liberal enough that all deserving aged needy citizens may be relieved and conservative enough that the revenue therefor may be provided without the imposition of the general sales tax or otherwise unreasonably increasing the tax burden.

RUTTA,
HUNTER.

Mr. Walker and Mr. Keefe offered an amendment to the bill, which amendment was ordered not printed in the Journal, same having been printed in mimeograph form.

Mr. Harris of Dallas moved to table the amendment by Mr. Walker and Mr. Keefe.

The motion to table prevailed.

Mr. Glass offered an amendment to the bill, which amendment was ordered not printed in the Journal, same having been printed in mimeograph form.

Mr. Calvert moved to table the amendment by Mr. Glass.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—73

Adamson	Jackson
Adkins	James
Aikin	Jones of Falls
Ash	Jones of Wise
Beck	Keefe
Bourne	Lange
Bradbury	Lanning
Bradford	Latham
Broyles	McCalla
Burton	McConnell
Butler of Brazos	McFarland
Cagle	McKinney
Caldwell	Moffett
Calvert	Morris
Clayton	Morrison
Collins	Morse
Colquitt	Patterson
Cooper	Payne
Cowley	Reed of Dallas
Duvall	Riddle
England	Roach of Angelina
Fain	Roach of Hunt
Fisher	Roane
Ford	Roark
Fox	Rutta
Gibson	Sessions
Good	Shofner
Gray	Stinson
Hanna	Tarwater
Harris of Archer	Tennyson
Harris of Dallas	Thornton
Hartzog	Venable
Hill	Walker
Hofheinz	Wells
Holland	Westfall
Hunt	Worley
Hunter	

Nays—57

Alexander	Farmer
Alsup	Frazer
Atchison	Glass
Bergman	Hardin
Butler of Karnes	Herzik
Canon	Hodges
Celaya	Hoskins
Colson	Howard
Craddock	Hyder
Crossley	Jefferson
Daniel	Jones of Atascosa
Davison of Fisher	Jones of Shelby
Davisson	King
of Eastland	Knetsch
Dickison	Lemens
Dunagan	Leonard
Dunlap of Hays	Lindsey

Lotief	Russell
Lucas	Scarborough
Luker	Spears
Mauritz	Stanfield
Olsen	Steward
Padgett	Stovall
Palmer	Tillery
Petsch	Waggoner
Quinn	Wood of Harrison
Reader	Wood of Montague
Reed of Bowie	Young
Roberts	Youngblood

Absent

Dunlap of Kleberg	McKee
Dwyer	Nicholson
Fuchs	Pope
Graves	Settle
Hankamer	

Absent—Excused

Davis	Leath
Fitzwater	Moore
Greathouse	Newton
Head	Rogers
Huddleston	Smith

Mr. Davisson of Eastland offered the following amendment to the bill:

Amend House Bill No. 26, page 2, Section 2, subparagraph "f" as follows:

Change the figures "\$360.00" in line 25 to "\$720.00."

Strike out subparagraph "g," of said section.

DAVISSON of Eastland.
GLASS.

Mr. Aikin offered the following substitute for the amendment by Mr. Davisson of Eastland:

Substitute for amendment to House Bill No. 26, by striking out the words and figures "\$360.00" in line 25, page 2, and insert in lieu thereof the words and figures "\$1000, net income."

On motion of Mr. Morrison, the substitute amendment by Mr. Aikin was tabled.

Mr. Calvert called for a division of the questions in the amendment by Mr. Davisson of Eastland.

Mr. Morrison moved to table that section of the amendment, which relates to the amount of income.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—50

Adamson	Keefe
Beck	Lanning
Bourne	Lindsey
Bradford	Mauritz
Broyles	McCalla
Burton	McKinney
Calvert	Morris
Clayton	Morrison
Colquitt	Morse
Craddock	Patterson
Davison of Fisher	Reed of Bowie
Duvall	Riddle
Dwyer	Roane
England	Rutta
Fisher	Sessions
Ford	Settle
Good	Stanfield
Gray	Stinson
Hankamer	Tarwater
Harris of Dallas	Thornton
Hill	Waggoner
Hofheinz	Walker
Holland	Wells
Hunter	Westfall
Jackson	Wood of Harrison

Nays—71

Adkins	Hyder
Aikin	James
Alexander	Jones of Atascosa
Alsup	Jones of Falls
Ash	Jones of Shelby
Atchison	Jones of Wise
Bergman	King
Bradbury	Knetsch
Butler of Karnes	Lange
Cagle	Latham
Canon	Leonard
Collins	Lotief
Colson	Lucas
Cowley	Luker
Crossley	McConnell
Daniel	McFarland
Davisson	McKee
of Eastland	Moffett
Dickison	Olsen
Dunagan	Padgett
Dunlap of Hays	Palmer
Fain	Petsch
Farmer	Quinn
Fox	Reed of Dallas
Frazer	Roach of Hunt
Fuchs	Roark
Gibson	Roberts
Glass	Russell
Hardin	Shofner
Harris of Archer	Spears
Hartzog	Steward
Herzik	Stovall
Hodges	Tennyson
Hoskins	Tillery

Venable Worley
Wood of Montague Youngblood

Present—Not Voting

Roach of Angelina

Absent

Butler of Brazos Jefferson
Caldwell Lemens
Celaya Nicholson
Cooper Payne
Dunlap of Kleberg Pope
Graves Reader
Hanna Scarborough
Howard Young
Hunt

Absent—Excused

Davis Leath
Fitzwater Moore
Greathouse Newton
Head Rogers
Huddleston Smith

Mr. Fain offered the following substitute for the first section of the amendment by Mr. Davisson of Eastland:

Amend Davisson amendment by substituting "\$500.00" for "\$720.00."

On motion of Mr. Davisson of Eastland, the substitute amendment by Mr. Fain was tabled.

Question then recurring on the first section of the amendment by Mr. Davisson of Eastland, yeas and nays were demanded.

That section of the amendment was adopted by the following vote:

Yeas—81

Adkins Dickison
Aikin Dunagan
Alexander Dunlap of Hays
Alsup England
Ash Fain
Atchison Farmer
Beck Fox
Bergman Frazer
Bradbury Fuchs
Broyles Gibson
Butler of Karnes Glass
Cagle Hardin
Calvert Harris of Archer
Canon Harris of Dallas
Collins Hartzog
Colquitt Herzik
Colson Hodges
Cooper Holland
Crossley Hoskins
Daniel Hyder
Davisson James
of Eastland Jones of Atascosa

Jones of Falls
Jones of Shelby
Jones of Wise
King
Knetsch
Lange
Latham
Lemens
Leonard
Lotief
Lucas
Luker
McConnell
McFarland
McKee
Moffett
Olsen
Padgett
Palmer

Petsch
Quinn
Reed of Bowie
Roach of Hunt
Roark
Roberts
Russell
Shofner
Spears
Stanfield
Steward
Stovall
Tennyson
Tillery
Venable
Wells
Wood of Montague
Worley
Youngblood

Nays—38

Adamson McCalla
Bourne McKinney
Bradford Morris
Burton Morrison
Clayton Morse
Craddock Patterson
Davison of Fisher Pope
Dwyer Reed of Dallas
Fisher Riddle
Ford Roane
Good Rutta
Gray Sessions
Hankamer Settle
Hofheinz Stinson
Hunter Tarwater
Jackson Thornton
Lanning Waggoner
Lindsey Walker
Mauritz Westfall

Present—Not Voting

Wood of Harrison

Absent

Butler of Brazos Hunt
Caldwell Jefferson
Celaya Keefe
Cowley Nicholson
Dunlap of Kleberg Payne
Duvall Reader
Graves Roach of Angelina
Hanna Scarborough
Howard Young

Absent—Excused

Davis Leath
Fitzwater Moore
Greathouse Newton
Head Rogers
Hill Smith
Huddleston

Mr. Aikin offered the following substitute for that section of the amendment by Mr. Davisson of Eastland which relates to property owned:

Amend House Bill No. 26, page 2, line 31 by striking out the words and figures "\$4,000" and insert in lieu thereof the words and figures "\$5,000" and adding the following after the word "dollars" "exclusive of residence homestead."

AIKIN,
KNETSCH.

Mr. Calvert moved to table the substitute amendment by Mr. Aikin.

Question—Shall the motion to table prevail?

EXTENDING SYMPATHY OF THE HOUSE TO HON. EARL HUDDLESTON

Mr. Jones of Falls offered the following resolution:

Whereas, The House of Representatives has learned with great regret of the injury sustained by our fellow member, the Honorable Earl Huddleston of Oglesby, Texas; and

Whereas, This valuable member is serving his State with distinction and is greatly missed by his fellow colleagues; therefore, be it

Resolved by the House of Representatives of the Forty-fourth Legislature, That the sympathy of the entire members be sent to him and wish for him a speedy recovery; be it further

Resolved, That a copy of this resolution be sent to the Honorable Earl Huddleston, and that a copy be spread upon the House Journal and flowers be sent to Mr. Huddleston.

JONES of Falls,
FORD,
DWYER,
ADKINS,
TILLERY,
CAGLE,
PALMER,
LOTIEF,
GLASS.

The resolution was read second time.

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Ash, Atchison, Beck, Bergman, Bourne, Bradbury, Bradford, Broyles, Burton, Butler of Brazos, Butler of Karnes, Caldwell, Canon, Celaya, Clayton, Collins, Colquitt, Colson, Cooper, Cowley,

Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Kleberg, Dunlap of Hays, Duvall, England, Fain, Farmer, Fisher, Fitzwater, Fox, Frazer, Fuchs, Gibson, Good, Graves, Gray, Greathouse, Hankamer, Hanna, Hardin, Harris of Archer, Harris of Dallas, Hartzog, Head, Herzik, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Jones of Wise, Jones of Shelby, Jones of Atascosa, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Lemens, Leonard, Lindsey, Lucas, Luker, Mauritz, McCalla, McConnell, McFarland, McKee, McKinney, Moffett, Moore, Morris, Morrison, Morse, Newton, Nicholson, Olsen, Padgett, Patterson, Payne, Petsch, Pope, Quinn, Reader, Reed of Bowie, Reed of Dallas, Riddle, Roach of Angelina, Roach of Hunt, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Sessions, Settle, Shofner, Smith, Spears, Stanfield, Steward, Stinson, Stovall, Tarwater, Tennyson, Thornton, Venable, Waggoner, Walker, Wells, Westfall, Wood of Montague, Wood of Harrison, Worley, Young and Youngblood.

On motion of Mr. Bradbury, the names of all the members of the House were added to the resolution, as signers thereof.

The resolution was unanimously adopted.

RECESS

Mr. Quinn moved that the House recess to 8:00 o'clock p. m., today.

Mr. Alexander moved that the House recess to 9:30 o'clock a. m., tomorrow.

Mr. Roach of Hunt moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. Alexander, it prevailed, and the House, accordingly, at 6:00 o'clock p. m., took recess to 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on Revenue and Taxation filed favorable reports on House Bills Nos. 6 and 23.

**REPORT OF THE COMMITTEE
ON ENGROSSED BILLS**

Committee Room,
Austin, Texas, October 21, 1935.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills to whom was referred

H. B. No. 15, A bill to be entitled
"An Act to amend Article 2785 so as
to provide that notices of election
shall be posted for ten days, and de-
claring an emergency."

Has carefully compared same and
finds it correctly engrossed.

HODGES, Chairman.

In Memory of William Parnell

Mr. Morrison offered the following resolution:

Whereas, William Parnell departed this life at his home at Terrell, Texas, Wednesday, October 16, 1935; and

Whereas, William Parnell was one of the pioneers of Kaufman County and Terrell, Texas and as such was a valuable citizen of his city and county and of the State of Texas; and

Whereas, He was one of the five survivors of the J. E. B. Stuart Confederate Camp of Terrell; and

Whereas, He enlisted in the Confederate army in 1862 as a member of the 5th Alabama Cavalry and served all through the Civil War and was in several major battles; and

Whereas, He was ninety-one years of age and had served his city, county and State with distinction being a most worthy Christian gentleman; now, therefore, be it

Resolved by the House of Representatives, That it extend to his surviving wife, Mrs. Sarah Parnell, and his children its sincere sympathy in this, their hour of grief, and assure them that in the passing of William Parnell they have not only lost a faithful husband and father but a good and valued citizen of his community and State; be it further

Resolved, That a copy of this resolution be sent to the bereaved wife, Mrs. Sarah Parnell, and other members of the family; be it further

Resolved, That when the House adjourns today it do so in respect and memory of this worthy Confederate veteran, William Parnell.

MORRISON,
PAYNE,
COLQUITT.

The resolution was read second time.

Stevenson, Speaker; Adamson, Adkins, Aikin, Alexander, Alsup, Ash, Atchison, Beck, Bergman, Bourne, Bradbury, Bradford, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Celaya, Clayton, Collins, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Kleberg, Dunlap of Hays, Duvall, Dwyer, England, Fain, Farmer, Fisher, Fitzwater, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Graves, Gray, Greathouse, Hankamer, Hanna, Hardin, Harris of Archer, Harris of Dallas, Hartzog, Head, Herzik, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Jones of Wise, Jones of Shelby, Jones of Falls, Jones of Atascosa, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Lemens, Leonard, Lindsey, Lotief, Lucas, Luker, Mauritz, McCalla, McConnell, McFarland, McKee, McKinney, Moffett, Moore, Morris, Morse, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Petsch, Pope, Quinn, Reader, Reed of Bowie, Reed of Dallas, Riddle, Roach of Angelina, Roach of Hunt, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Sessions, Settle, Shofner, Smith, Spears, Stanfield, Steward, Stinson, Stovall, Tarwater, Tennyson, Thornton, Tillery, Venable, Waggoner, Walker, Wells, Westfall, Wood of Montague, Wood of Harrison, Worley, Young and Youngblood.

On motion of Mr. Adamson, the names of all the members of the House were added to the resolution, as signers thereof.

The resolution was unanimously adopted.